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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA

3:21-cr-00012-LRH-CSD

Plaintiff,

vs.

ORDER APPROVING

FRANCISCO NAVARRO-DELGADO,

STIPULATION TO CONTINUE
 SENTENCING

Defendant.

IT IS HEREBY STIPULATED AND AGREED by and through THOMAS E. VILORIA, counsel for FRANCISCO NAVARRO-DELGADO, CHRISTOPHER CHIOU, Acting United States Attorney, and ANDOLYN JOHNSON, Assistant United States Attorney, counsel for UNITED STATES OF AMERICA; that the sentencing set for March 10, 2022 11:00 a.m. be continued to May 3, 2022, 11:00 a.m.

The continuance is necessary for the following reasons: Due to counsels' ongoing additional investigation into mitigating factors, the likelihood of motions being filed before sentencing and the need for additional time to effectively prepare for and present each party's sentencing position.

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DATED this 22 day of February, 2022.

/s/ Andolyn Johnson *

THOMAS E. VILORIA
VILORIA, OLIPHANT
OSTER & AMAN, L.L.P.
Counsel for FRANCISCO NAVARRO-DELGADO

DATED this 22 day of February, 2022.

Francisco Navarro-Delgado

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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 UNITED STATES OF AMERICA

3:21-cr-00012-LRH-CSD

5 Plaintiff,

6 vs.

**Findings of Fact, Conclusions of Law
and Order**

7 FRANCISCO NAVARRO-DELGADO,

8 Defendant.

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11 **FINDINGS OF FACT**

12 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
13 Court finds that:

14 1. The continuance is necessary for the following reasons. First, the failure to grant
15 this continuance would deny counsel for the defendant the reasonable time necessary for
16 effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C.

17 § 3161(h)(7)(B)(iv).

18 2. The defendant does not oppose the continuance.

19 3. The parties will need additional time to conduct investigation into mitigating
20 factors and there is a likelihood of motions being filed before sentencing.

21 4. The additional time requested herein is not sought for purposes of delay, but
22 merely to allow counsel for the defendant sufficient time to complete necessary research and
23 prepare for sentencing

24 5. Denial of this request for continuance would deny counsel for the defendant
25 sufficient time to effectively and thoroughly prepare, taking into account the exercise of due
26 diligence.

27 This is the second stipulation to continue the sentencing filed herein.

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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the sentencing currently scheduled for March 10, 2022, at 11:00 a.m. be vacated and continued to May 3, 2022, at 11:00 a.m.

DATED this 23rd day of February, 2022.



 UNITED STATES DISTRICT JUDGE

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